

REMARKS

Claims 1 – 26 are pending in this application with claims 7, 8, 12 and 16 – 18 previously withdrawn from consideration. Claims 1 and 26 are amended by this response.

Claims 1-6, 9-11, 14-15 , 19-23 and 26 are rejected under 35 U.S.C. 101

Claims 1-6, 9-11, 14-15, 19-23 and 26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1 and 26 have been amended to more clearly disclose certain substances that have been either transformed or reduced. Specifically, claims 1 and 26 have been amended to state “said input means ~~allowing a user to retrieve, and have available as an output on said output medium,~~ selectively providing said running information compilation on said output means at any time in response to receipt of a command from a user”. Claim 1 was also amended to state “and a storage unit in which information entered via said input means is selectively ~~can be~~ filed and ~~selectively~~ retrieved”. Claim 26 was also amended to state “and means for calculating a change in said value measure which would occur if a selected item of information were omitted, and ~~for~~ displaying an indication of said change of said value measure at said output means”. Applicant respectfully submits that support for the above amendments can be found in Figures 1 – 3 as well as the corresponding description in the specification. Furthermore, it is respectfully submitted that claims 1 and 26 as amended are directed toward statutory subject matter as defined in 35 USC 101. Thus, in view of the above remarks and amendments to the claims, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claims 1-6, 9-11, 14-15, 19-23 are rejected under 35 U.S.C. 102(e)

Claims 1-6, 9-11, 14-15, 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Graettinger et al., (US Patent No. 5,839,438).

The present invention discloses a computing system. The system includes a computer having an evaluation means for analyzing information which is entered into the computer and for generating analytical data based on the information. A user input means allows a user to enter the information into the computer and an output means is connected to the computer for selectively displaying an output generated by the computer.

The evaluation means includes means for configuring, interrogating and accepting the information entered through the input means and organizes input of the information based on a plurality of inquiries produced by the evaluation means. The evaluation means selects the inquiries based on information entered in response to at least one previous inquiry and the inquiries are made available at the output means.

The evaluation means also includes means for controlling interactive acquisition of the information based on a running compilation of information for formulating and emitting the inquiries to the output means. The evaluation means includes means for processing information which is random in content and for producing a continuous value measure for output on the output means. The produced continuous value measure is between two extreme values as a characterization of an analytical result based on the information. The input means selectively provides the running information compilation to the output means at any time upon a receipt of a user generated command. The computing system further includes a storage unit in which information entered via the input means can be filed and selectively retrieved for display on the output means.

Graettinger et al. disclose a neural network system and method for diagnosing patients' medical conditions which is trained to recognize medical conditions by being provided with input data that is available for a number for patients and diagnosis made by physicians in each case. After the system is fully trained, the system uses input measurement and interview data to produce a score representing a patient's medical condition that is accompanied by a diagnosis interpretation.

However, the Rejection erroneously states that the method and system disclosed by Graettinger et al. includes all the limitations disclosed in the present claimed invention. In fact, Graettinger et al. neither disclose nor suggest "said evaluation means...for organizing input of said information based on a plurality of inquiries produced by said evaluation means" as in the present claimed invention. Additionally, Graettinger et al. neither disclose nor suggest "said evaluation means selecting said inquiries based on information entered in response to at least one previous inquiry" as in the present claimed invention. The Examiner cites column 3, lines 16 – 40 of Graettinger et al. for support of his assertion that Graettinger et al. disclose the above limitations. However, in the cited passage, Graettinger et al. merely disclose a system for diagnosing and interpreting a patient's medical condition, wherein the system must be trained with the diagnosis made by the physician as well as the data used in making that diagnosis to produce a score representing the condition. In fact, the system disclosed by Graettinger et al. merely calculates a score based on previously known data obtained by the physician. Graettinger et al. neither disclose nor suggest "an evaluation means" for producing "a plurality of inquiries" as in the present claimed invention.

Applicant further disagrees with the Examiner's assertion that the passage on lines 16 - 52 of column 3 Graettinger et al. disclose "the evaluation means comprising means for controlling interactive acquisition of the information based on a running compilation of information for formulating and emitting the inquires to the output medium, and the evaluation means comprising means for processing information which is random in content and for producing a continuous value measure between two extreme values as a characterization of an analytical result based on the information, and the input means allowing

a user to retrieve, and have available as an output on the output means the running information compilation at any time". Firstly, as claim 1 has been amended as discussed above, Applicant respectfully submits that Graettinger et al. neither disclose nor suggest "said input means selectively providing said running information compilation of said output means at any time in response to receipt of a command from a user" as in the present claimed invention. Additionally, Graettinger et al. neither disclose nor suggest "means for controlling interactive acquisition of the information based on a running compilation of information for formulating and emitting the inquiries to the output medium" as in the present claimed invention. Rather, Graettinger et al. disclose inputting numerical data representing characteristics of a medical condition into a neural network trained to detect the conditions for determining a score indicative of the likelihood of the medical condition (see Graettinger et al., col. 3, lines 45 – 50). The information interpreted by Graettinger et al. is merely input by a physician. In other words, Graettinger et al. neither disclose nor suggest that "said evaluation means" uses "a running compilation of information for formulating and emitting said inquiries to said output means" as in the present claimed invention.

Regarding claim 4, which discloses "said evaluation means comprises means for formulating an inquiry based on an analytical calculation of a potential informational gain of the inquiry". The Examiner cites column 14, lines 45 – 66 of Graettinger et al. in support of his assertion that the above feature is disclosed by Graettinger et al. However, the cited passage merely discloses obtaining information in response to a pre-stored list of questions. Graettinger et al. neither disclose nor suggest "means for formulating an inquiry based on an analytical calculation of a potential informational gain of the inquiry" as in the present claimed invention. Rather, Graettinger et al. disclose an inquiry list is presented to a physician for response thereby. Nowhere in Graettinger et al. is it disclosed or suggested why or how an inquiry presented to a physician is formed. This is unlike the present claimed invention which discloses formulating an inquiry "based on an analytical calculation of a potential informational gain of the inquiry". Therefore, in view of the above remarks it is respectfully submitted that claim 4 is patentable over Graettinger et al.

Furthermore, Applicant respectfully submits that the invention disclosed by Graettinger et al. solves a problem unrelated to the problem solved by the present claimed invention. Graettinger et al. disclose a medical system for use by a physician which serves as "a second opinion" for the physician in order to confirm the physicians diagnosis or point out ambiguities that require further analysis. (see Graettinger et al., col. 3, lines 31 – 34). In other words, the system requires the existence of a previously made diagnosis by a physician. This is unlike the present claimed invention which attempts to solve the problem of providing accurate medical diagnosis and interpretation of symptoms to a layperson. (see page 1 of the present specification). Therefore, the system of Graettinger et al is a checking mechanism that determines the accuracy of the diagnosing physician, whereas the system of the present claimed invention is a method and system which "formulates questions autonomously, based on existing information, in order to intentionally solicit information" it requires to make a diagnosis. (see page 2, present specification and claim 1, lines 9 - 11).

In view of the above remarks and amendments to claim 1, it is respectfully submitted that the present claimed invention is not anticipated by Graettinger et al. As claims 2 – 6, 9 – 11, 14 – 15 and 19 – 23 are dependent on claim 1, it is respectfully submitted that claims 2 – 6, 9 – 11, 14 – 15 and 19 – 23 are patentable for the same reasons as discussed above regarding claim 1. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

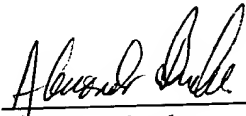
Serial No. 09/388,627

Attorney Docket No. 1998P03695US

No additional fee is believed due. However, if a fee is due, please charge the fee to deposit account 19-2179.

Respectfully submitted,
Thomas Birkhoelzer

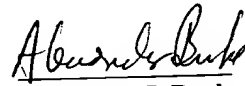
Date: May 11, 2004

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